

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

D. GEORGE SWEIGERT

Plaintiff,

vs.

JASON GOODMAN,

Defendant

Case No.: 1:18-cv-08653-VEC-SDA

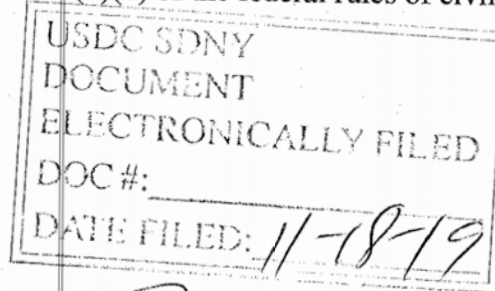
**NOTICE OF MOTION TO DISMISS**

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**PURSUANT TO FED. R. CIV. P. 12(B)(6)**

Please take notice that, upon the accompanying (i) memorandum of law in support of motion to dismiss pursuant to fed. R. Civ. P. 12(b)(6); and (ii) the declaration of Jason Goodman and the exhibits annexed thereto, all submitted herewith, Defendant Jason Goodman Pro Se, moves this court for an order pursuant to rule 12(b)(6) of the federal rules of civil procedure, dismissing the complaint with prejudice.

Signed this 18<sup>th</sup> day of November 2019



Jason Goodman, Defendant, Pro Se  
252 7<sup>th</sup> Avenue Apt 6s  
New York, NY 10001  
(323) 744-7594  
[truth@crowdsourcethetruth.org](mailto:truth@crowdsourcethetruth.org)

ENDORSEMENT: Plaintiff shall respond to Defendant's Motion to Dismiss (ECF No. 106) no later than 12/31/2019. Defendant shall file any reply by 1/17/2020. The Court shall not consider matters outside the pleadings and thus the Court declines to treat the motion as one for summary judgment. See Fed. R. Civ. P. 12(d). The Clerk of Court is directed to mail a copy of this Order to the pro se parties. In addition, a copy of this Order will be emailed to the parties by Chambers. SO ORDERED.

Dated: 11/23/2019

*Att C a*